



Atty. Docket No: 2936 (203-3637)

IN THE WANTED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S):

Reschke, et al.

SERIAL NO. :

10/716,776

EXAMINER: Alex B. Toy

FILED :

November 19, 2003 GROUP: ART UNIT 3739

FOR

PISTOL GRIP ELECTROSURGICAL PENCIL WITH MANUAL ASPIRATOR/IRRIGATOR AND METHODS

OF USING THE SAME

CERTIFICATE OF MAILING

Date of Deposit:

January 29, 2007

I hereby certify that the following:

[x] This Certificate of Mailing

[x] Amendment "B"

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[x] Return postcard

are being deposited with the United States Postal Service first-class mail on the Date of Deposit indicated above in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Mary Jo Milacek

United States Surgical, a division of TYCO HEALTHCARE GROUP LP 195 McDermott Road North Haven, CT 06473 (303) 530-6138

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OTHER THAN

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Mail Stop: Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL FORM

Sir:

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Transmitted herewith is an amendment in the above-identified application.

- Small entity status of this application under 37 C.F.R. § 1.9 and 1.27 has been [] established by a verified statement previously submitted.
- A verified statement to establish small entity under 37 C.F.R. § 1.9 and 1.27 is enclosed.
- [X] No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2)	(Col. 3) SMALL EN			ITITY		. ENTITY
			HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA		ADDIT. FEE	OR	RATE	ADDIT. FEE
TOTAL	13	MINUS	32	=	X 25	\$	х	50	\$0
INDEP.	4	MINUS.	4	=	X 100	\$	Х	200	\$0
☐ FIRST PRESEN	NOITATION	N OF MUL	TIPLE DEP. CLA	MIM	X 180	\$	X	360	\$0
				ADDIT. F	TOTAL	\$ -0-	OR T	OTAL	\$0

^{*} If the entry in Co. 1 is less than entry in Col. 2, write "0" in Col. 3.

box in Col. 1 of a prior amendment or the number of claims originally filed.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on date below.

Dated: January 29, 2007

Mary Jo Milacek

Page 1 of 2

^{**} If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, enter "20".

^{***} If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The Highest No. Previously Paid For" (Total or indep.) is the highest number found in the appropriate

- [] Please charge Deposit Account No. <u>21-0550</u> in the amount of \$___. Two (2) copies of this sheet are enclosed.
- [] A check in the amount of \$____ is enclosed.
- [X] Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. § 1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. <u>21-0550</u>. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. <u>21-0550</u> therefor. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

Respectfully submitted,

Thomas A. Beaton Reg. No. 46,543

Attorney for Applicant(s)

United States Surgical A division of Tyco Healthcare Group LP 195 McDermott Road North Haven, CT 06473 303-581-6831

Fax: 303-581-6632



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Mail Stop: AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

AMENDMENT "B"

Sir:

In response to a Final Office Action mailed on December 6, 2006, please amend the subject application as follows:

Amendments to the Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 12 of this paper.

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Dated: January 29, 2007

Jo Milaul